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PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ian S. Malpass et al.

Serial No. 10/662,956

Filed: September 15, 2003

For: Slip Resistant Mat

Art Unit: 1772

Examiner: Donald J. Loney

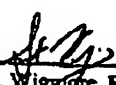
Confirmation No.: 1044

TERMINAL DISCLAIMER IN APPLICATION

The owner, Millennium Mat Company, of the entire interest in the above-identified present application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,726,190 (hereinafter "'190") issued in the name of Malpass et al. on April 27, 2004 and having U.S. Application Serial No. 10/191,205, filed on July 9, 2002. The owner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that this patent and the prior patent ('190) are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee of such patent, and its successors or assigns.

In making the above disclaimer, the owner does not disclaim any terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent ('190), as shortened by any terminal disclaimer, in the event that the prior patent ('190) later: (1) expires for failure to pay a maintenance fee, (2) is held unenforceable, (3) is found invalid by a court of competent jurisdiction, (4) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, (5) has all claims cancelled by a reexamination certificate, (6) is reissued, OR (7) is in any

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 Steven P. Wigmore, Reg. No. 40,447

PAGE 6/20 \* RCVD AT 12/22/2004 12:53:41 PM [Eastern Standard Time] \* SVR:USPTO-EFAXF-1/0 \* DNIS:8729306 \* CSID:404 572 5145 \* DURATION (mm:ss):05:34

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manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Please charge the (\$130.00) fee required by 37 CFR § 1.20(d) and any additional fees, or credit any overpayment, to Deposit Account 11-0980. A duplicate copy of this document is attached.

The undersigned is an attorney of record and is authorized to sign on behalf of the owner.

Date: December 22, 2004

  
Name: Steven P. Wigmore

K&S Docket: 09824.105008

Reg. No: 40,447